

**MILLSTONE TOWNSHIP
PLANNING BOARD
MINUTES
JANUARY 11, 2006**

At 7:36 p.m., Chairman Newman called the meeting to order.

Sworn in are Messrs. Sico, Pado, Pepe, Blanco and Kucziniski (arriving at 7:40 p.m.

Roll Call Vote: Present: Blanco, Grbelja, Maltz, Pepe, Sico, Zanetakos, Haag, Newman, Pado: Absent: D'Amico. Late: Kucziniski.

Election of Officers:

Ms. Grbelja made a Motion to nominate Mitch Newman as Chairman and Mr. Maltz offered a second. Roll Call Vote: Grbelja, Maltz, Blanco, Pepe, Sico, Zanetakos, Haag and Pado voted yes.

Mr. Maltz made a Motion to nominate Donna Haag as Vice-Chairman and Mr. Pepe offered a second. Roll Call Vote: Maltz, Pepe, Blanco, Grbelja, Sico, Zanetakos, Newman and Pado voted yes.

Ms. Grbelja made a Motion to appoint Pam D'Andrea as Board Secretary and Mr. Zanetakos offered a second. Roll Call Vote: Grbelja, Zanetakos, Blanco, Maltz, Pepe, Sico, Pado, Newman and Haag voted yes.

Mr. Maltz made a Motion to appoint Michael B. Steib, Esq. as Board Attorney and Mr. Zanetakos offered a second: Roll Call Vote: Maltz, Zanetakos, Blanco, Kucziniski, Pepe, Grbelja, Sico, Haag and Newman voted yes.

Ms. Grbelja made a Motion to appoint Christopher P. Rosati, P.P., P.E. of Leon S. Avakian, Inc., as Board Engineer and Mr. Sico offered a second. Roll Call Vote: Grbelja, Sico, Blanco, Kucziniski, Zanetakos, Maltz, Pepe, Newman and Haag voted yes.

Mr. Pepe made a Motion to appoint Richard T. Coppola, P.P. of Coppola and Coppola as Board Planner and Mr. Maltz offered a second: Roll Call Vote: Pepe, Maltz, Zanetakos, Blanco, Kucziniski, Grbelja, Sico, Haag and Newman voted yes.

Ms. Grbelja made a Motion to appoint Angela G. Buonantuono as Board Court Reporter and Mr. Maltz offered a second. Roll Call Vote: Grbelja, Maltz, Blanco, Kucziniski, Pepe, Sico, Zanetakos, Haag and Newman voted yes.

Ms. Grbelja made a Motion to adopt the Asbury Park Press and The Messenger Press as the official Board Newspapers and Mr. Maltz offered a second. Roll Call Vote: Grbelja, Maltz, Blanco, Kucziniski, Pepe, Sico, Zanetakos, Haag and Newman voted yes.

Mr. Maltz made a Motion to adopt the following monthly meeting schedule and Mr. Sico offered a second. Roll Call Vote: Maltz, Sico, Blanco, Grbelja, Kucziniski, Pepe, Zanetakos, Haag and Newman voted yes.

To be held on the following dates in 2006 and the first meeting date in 2007 at 7:30 p.m. in the Municipal Building located at 215 Millstone Road, Perrineville, New Jersey.

January 11, 2006
February 8, 2006
March 8, 2006
April 6, 2006
May 10, 2006
June 14, 2006

July 12, 2006
August 9, 2006
September 13, 2006
October 11, 2006
November 8, 2006
December 13, 2006
January 10, 2007

Approval of Minutes of December 14, 2005. Ms. Grbelja made a motion to approve and Ms. Haag offered a second. Roll Call Vote: Grbelja, Haag, Maltz, Zanetakos and Pado voted yes.

Chairman Newman opened the public comment portion at 7:50 p.m. and closed same at 7:50 after seeing no public comment.

RESOLUTIONS:

P05-24 FORTY-FOURTEEN ACRES – Block 16, Lot 10.08. Rike Drive. 2.99 acres located in the BP Zone. Applicant granted one-year extension of time within which to finish site improvements.

Mr. Pado made a Motion to memorialize and Ms. Grbelja offered a second: Roll Call Vote: Pado, Grbelja, Maltz, Zanetakos and Haag voted yes.

P05-08 IVANHOE BROOK ESTATES – Block 57.01, Lots 25, 26, 26.01 known as Section 4 and Block 55, Lot 4, known as Section 3. Applicant's phasing plan granted on 12/14/05.

Mr. Steib offered a clarification of the phasing plan advising the applicant has phasing through June. If the Board did not grant any further extensions, the applicant must be done by June 2006.

Mr. Zanetakos made a Motion to memorialize and Mr. Maltz offered a second. Roll Call vote: Zanetakos, Maltz, Haag and Pado voted yes. Abstain: Grbelja.

P05-13 GALLOPING HILLS WEST – Block 25, Lots 10 and 13. Zone R-80. Located at Stagecoach Road (Route 524). Site Plan. Applicant requested to return to the Planning Board for permission to remove existing structures pursuant to condition No. 13 of the Resolution memorialized October 10, 2001. Carried from 8/10/05. Applicant requested matter be carried to 1/11/06.

Mr. Steib advised that they are not on the Agenda but the application is now moot and the Board should take action to dismiss the application to take it off of the books.

Mr. Maltz made a motion to dismiss without prejudice and Ms. Grbelja offered a second: Roll Call vote: Maltz, Grbelja, Blanco, Kuczinizki, Pepe, Zanetakos, Haag and Newman voted yes.

NEW APPLICATIONS:

P05-17 FIRST CHOICE – Block 16, Lot 9.10. Located on Rike Drive. 3.26 acres in the BP Zone. Applicant seeks Preliminary and Final Major Site plan approval to construct a 20,843 s.f. building consisting of 8,000 s.f. office space and 12,483 s.f. warehouse.

Mr. Pado steps down for the application.

Mr. Steib announced that the applicant has noticed properly and the Board takes jurisdiction over the application. The applicant is represented by Kenneth Pape, Esq. The application is carried to a date certain of February 8, 2006. Applicant grants an extension of time through March, 2006.

The Board unanimously voted to carry the application.

P05-18 BENNETT, ROBERT – Block 16, Lot 9.11. Located on Rike Drive. 3.42 Acres in the BP Zone. Applicant seeks Preliminary and Final Major Site Plan Approval to construct a 14,875 sq. foot building.

Mr. Pado stepped down for the application.

Mr. Steib announced that the applicant has noticed properly and the Board takes jurisdiction over the application. John Stolz, Esq. represents the applicant. The application is carried to a date certain of February 8, 2006. Applicant grants an extension of time through March, 2006.

Mr. Maltz made a motion to carry pending a letter granting the extension to be received within seven days. Mr. Sico offered a second. All members unanimously voted to carry.

P05-19 HUNEKE, ROBERT – Block 16, Lots 6 and 6.02. Located at 21 Huneke Way. Consists of 35.82 acres in the RU-P Zone. Applicant seeks Preliminary

and Final Major Subdivision Approval to modify two lots into 3 lots. Applicant seeks waiver from soils testing.

Mr. Steib explained the applicant is seeking a waiver from soils testing but has provided noticing for the application itself. Mr. Steib has reviewed the packet and finds same to be in order to accept jurisdiction over the application.

Mr. Kenneth Pape, Esq. representing the applicant gave a brief overview of the property as 32 acres consisting of 2 residential lots for which the applicant wishes to subdivide into three.

The applicant grants an extension of time through March 2006 and will provide this extension in a letter to the Board.

Mr. Pape explains that the applicant is seeking a partial testing of the soils and explained the agricultural history of the property has been to house two horses for recreational purposes. There was a chicken farm on the property in the past. There were two residences and one burnt down in the 1990's.

Nine separate test pits were conducted throughout the site. None revealed any areas containing elevated levels of arsenic or pesticides. They looked for all pesticides associated with farm activities.

The Applicant requests the Board accepts the proofs so the applicant can proceed with the application. Crest Engineering did a Phase 1 on the project.

Mr. Rosati saw no red flags in the Phase 1 report.

Ms. Grbelja mentioned that the Open Space and Farmland Preservation Council might have an interest in the application concerning a potential trail easement on the property.

Mr. Steib advised the Board that they can waive a submission of the required testing or they Board can ask the applicant to supply the information.

The applicant explained why petrol chemical testing was not done.

Mr. Maltz made a Motion to grant the submission waiver and Mr.,. Zanetakos offered a second. Roll Call Vote: Maltz, Zanetakos, Blanco, Grbelja, Kucziniski, Pepe, Sico, Haag and Newman voted yes.

The applicant has been carried to February 8, 2006.

P05-25 NURKO, ANN AND PETER – Block 7, Lot 2. Located on Parkside Way and Nurko. 31.9 acres located in the R-130 Zone. Applicant received

Preliminary Major Subdivision approval 4/9/03 and Resolution Memorialized on 5/14/03. Applicant seeks Final approval.

Mr. Kenneth Pape, Esq. representing the applicant. He explained the application. Preliminary approval was received in Spring 2003. One bulk variance was needed for the homestead farm. The balance of the property required no variances. Mr. Pape went over the report of Engineer Chris Rosati dated 1/9/06 and can comply with the report.

Additional soils testing was performed as a result of a condition of preliminary compliance. Mr. Strong, the engineer is on vacation but did additional testing. One test pit came up and the applicant filed a memo with the State for issuance of an NFA letter. Deep tilling 36 ' has been going on and more will be tilled when the ground is dry.

Chairman Newman advised that Final Maps would not be signed until the NFA letter is received. Mr. Steib stated that is condition of preliminary approval.

Mr. Pape advised that the applicant would widen the road and rebuild and resurface.

Mr. Pape advised there is no change in the design.

Mr. Steib marks the following exhibits into evidence:

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| A-1 | Letter from Attorney Kenneth Pape dated 10/12/05 requesting hearing date for Final approval |
| A-2 | Resolution granting Preliminary Major Subdivision Approval with a Waiver and Variance memorialized 5/14/03 |
| A-3 | Final Plat of Major Subdivision prepared by Crest Engineering dated 12/06/02, Last Revised 9/8/05 |
| A-4 | Soils Logs for 3 test pits 12/19/05 |
| A-5 | MOA with the State dated 3/13/03 |
| PB-1 | Report from Board Engineer dated 1/9/06 |

The Board asked Mr. Rosati if there were any drainage problems. He explained 80% would be stabilized at the onset of construction. He added seeding would help.

When asked, Mr. Rosati said dry wells are not including in the existing dwelling. There will be dry wells in the new lots.

The Board discussed the elongated shape of the property.

Mr. Maltz made a Motion to approve as conditioned including the issuance of a No Further Action Letter from the NJDEP and Mr. Zanetakos offered a second.

Roll Call Vote: Maltz, Zanetakos, Blanco, Grbelja, Kucziniski, Pepe, Sico and Newman. Abstain: Haag.

P05-26 HORZEPA, ROBERT – Block 42, Lot 2, located at the intersection of Forman and Roberts Road. 43.3 acres in the R-130 zone. Applicant received Preliminary approval in May 28, 2003. Applicant seeks final approval for a 9-lot subdivision.

The application, as requested has been carried to the March 8, 2006 meeting.

P04-46 KENSINGTON – Block 60.01, Lots 17 and 18.01. Located at Mount Holly-Freehold Road. NC Zone. 1.43 ac. Preliminary Major Subdivision Approval Granted 7/13/05 and Resolution Memorialized on 8/10/05. Applicant seeks final approval to construct 6,363 sq. ft. retail bldg.

Mr. Pado stepped down.

Mr. William Mehr, Esq. representing the applicant.

Mr. John Ploskonka of Concept Engineering was sworn in as applicant's professional engineer. He presented his credentials and was accepted as an expert.

A-1 Letter from John Ploskonka of Concept Engineering dated 11/10/05 requesting Final Approval hearing date

A-2 Copy of Resolution Memorialized on 8/10/05 granting Preliminary Major Site Plan Approval

A-3 Stormwater Management report prepared by Concept Engineering dated 11/10/04; last revised 12/8/05.

PB-1 Report of Board Engineer dated 11/28/05

A-4 - Landscape and tree location plan. Last revised 12/8/05 as a result of Board Engineer's comments

The LOI has been reconfirmed by the DEP on 11/10/05. The detention basin has been moved back.

Referring to Exhibit A-5 Revised overall grading and utility plan 12/6/05.

Mr. Rosati advised of issues applicant should address such as the turnaround for a garbage truck. The dumpster has been moved. The stormwater filter located off of the westerly line must be stabilized. He stated the turf roadway depressed on the northeasterly corner of the building must be extended.

The stripped parking lot was discussed. Mr. Rosati has a concern over the fact that no spaces have been banked.

There is a 20' hardscape the rest is reinforced turf.

Mr. Rosati asked that the hours of operation be placed on the plans. He said that the applicant could relocate the detention basin to save a large oak tree.

There is no proposed signage. Mr. Mehr advised no freestanding sign is proposed. Mr. Maltz asked that Mr. Rosati explain the relocation of the detention basin.

The only entrance will be located off of Rt. 537.

Mr. Zanetakos asked about the Fire Department comment. Mr. Rosati advised we have no comments yet. He stated that the applicant would have to meet the codes.

Mr. Rosati stated that during construction, all storm piping will be protected and this information he wants to see on the plan. This will be discussed at the pre-construction meeting.

Mr. Steib read through the conditions, including applicant to come into compliance with the Board Engineer's letter of 11/28/05. The hours of operation will be no later than 10:00 p.m. Signage will comply with the ordinance. No freestanding signs will be located. Provision of access to the detention basin for purposes of maintenance (behind the building). Access to the stormwater filter structure. Stabilized bed. Truck turnaround with access road to the stormwater filter structure.

Mr. Maltz made a Motion to approve as conditioned and discussed and Ms. Grbelja offered a second. Roll Call Vote: Maltz, Grbelja, Blanco, Kucziniski, Pepe, Sico, Haag and Newman voted yes. No: Zanetakos. Step-Down: Pado

REVIEW AND RECOMMEND:

ORDINANCE NO. 06-02:

Creating a new Subsection 3-3.6A (Sign Posting Requirements for Hearings).

The purpose of the ordinance was discussed as to better notify residents of upcoming and ongoing applications. He explained that ten days prior to the hearing, the applicant must provide the Board with a certification that the signage has been posted. This would be additional to normal noticing. The signage would stay up until the plans are signed.

This would apply to all major subdivisions and site plans and D-variance applications.

The sign size and location, unlighted signage, maintenance was discussed.

The Board directed the following comments accompany the recommendation: No lights on the sign, the engineer assists in the setting of the sign, the sign is to be taken down within 48 hours of the memorialization of the Resolution.

OLD BUSINESS:

NEW BUSINESS:

Information was provided to the members concerning the mandatory classes. The classes were discussed.

ADJOURNMENT:

Mr. Maltz made a motion to adjourn with a second offered by Mr. Kucziniski. By unanimous roll call vote the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Pamela D'Andrea